wherein said surface layer surface configuration does not correspond to said base member surface configuration.

22. The lens molding die according to claim 21, wherein a curvature of said surface layer surface configuration does not correspond to a curvature of said base member surface configuration.

23. A lens molding die comprising:

a base member having a spherical surface; and

a resin-molded surface layer on said spherical surface and having an aspherical surface configuration corresponding to a shape of a surface of a lens to be produced.---

REMARKS

Initially, Applicant would like to express appreciation to the Examiner for the detailed Official Action provided, for the acknowledgment of Applicant's claim for priority and the receipt of the certified copy of the priority document, and for the acknowledgment of Applicant's Information Disclosure Statement by return of the form PTO-1449. Applicant also acknowledges the finality of the Examiner's restriction requirement, and expressly reserves the right to file one or more divisional applications directed to the non-elected subject matter.

Upon entry of the present amendment, the specification and claim 1 will have been amended, claims 6-19 will have been withdrawn from consideration, and claims 20-23 will

have been added for consideration by the Examiner. Claims 1-23 are pending in the present application for consideration by the Examiner.

The Examiner has objected to the drawings under 37 C.F.R. § 1.84(p)(5), noting that reference character "5a" is not described in the specification. In compliance with the Examiner's requirement and by the present amendment, Applicant has included reference character "5a" to describe the concave surface of the transfer die 5. No new matter has been entered. Thus, it is respectfully requested that the Examiner withdraw the objection to the drawings.

The Examiner has objected to the specification, noting that the numbers for the holders appear to be reversed on page 5, lines 20-25 thereof. In compliance with the Examiner's requirement and by the present amendment, Applicant has properly identified the holders of the present invention, which now conform throughout the specification. No new matter has been entered. Thus, it is respectfully requested that the Examiner withdraw the objections to the specification.

The Examiner has rejected claims 1-3 and 5, under 35 U.S.C. § 102(b) as being anticipated by JP 01-218808 ("JP 808"), finding that this reference teaches all of the limitations of the above claims.

Applicant respectfully traverses the Examiner's rejection. With respect to the Examiner's rejection of independent claim 1, Applicant submits that this reference fails to

teach or disclose the claimed resin-molded surface layer. Rather, the resin-molded layer 21 of JP 808 is provided on the protective layer 12 (which is a Pt-Ta layer) to control the etching speed of the protective layer. The etching of the molding die is performed until the resin molded layer is completely removed from the molding die. Thus, the molding die produced in the process of JP 808 has no "resin-molded surface layer formed on . . . one surface of the base member" as claimed in independent claim 1, nor does this reference have "a resin-molded surface layer on said spherical surface," as claimed in new independent claim 23, which substantially corresponds to original claims 1 and 2. It is thus submitted that the present claimed invention is patentably distinct from JP 808.

The Examiner has rejected claims 1 and 3-4, under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,204,126 to SINGH, finding that this reference teaches all of the limitations of the above claims.

Applicant respectfully traverses the Examiner's rejection. With respect to the Examiner's rejection of independent claim 1, Applicant submits that this reference, as well as the other references of record, fail to teach or disclose that the surface shape of the resin-molded surface layer is different from the shape of the base member, as claimed in independent claim 1. Further, Applicant submits that none of the applied references teaches or discloses that the surface layer surface configuration does not correspond to the base member surface configuration, as claimed in new independent claim 21. In the present

invention, the resin-molded surface layer allows the surface of the base member to be easily formed, irrespective of the shape of the lens to be produced. This configuration results in a difference between the surface shapes of the base member and surface layer, and between the base member and the lens to be produced.

To the contrary, for example, SINGH discloses a thin film E having a uniform thickness (*see, e.g.*, col. 8, lines 17-20), which causes the surface shape of the film E to correspond to the shape of the inner surface 40, 40' of the glass molds (base member) over which the film E is formed. This configuration results in the inner surfaces 40, 40' of the base member must correspond to the same shape of each lens to be produced. Thus, a differently-shaped base member must be provided for each prescription and/or curvature of a lens to be produced, a costly process, the deficiencies of which are described in the "Background of the Invention" section of the present application.

With respect to the above features noted as deficient in the prior art, Applicant notes that these features have been included to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, Applicant does not acquiesce to the propriety of the Examiner's rejections.

Absent a disclosure in a single reference of each and every element cited in a claim, a *prima facie* case of anticipation cannot be made under 35 U.S.C. § 102. Since the applied

references fail to disclose each and every element recited in independent claims 1, 21 and 23, these claims, and the claims dependent therefrom, are not anticipated thereby.

With respect to rejected dependent claims 2-5 and new claims 20 and 22, these claims are dependent from one of claims 1 or 21, which are allowable for at least the reasons discussed *supra,* these dependent claims are also allowable for at least these reasons. Further, all dependent claims recite additional features which further define the present invention over the references of record.

Accordingly, the Examiner is respectfully requested to indicate the allowance of the independent claims, as well as all pending dependent claims, under 35 U.S.C. § 102.

Thus, Applicant respectfully submits that each and every pending claim of the present application meets the requirements for patentability under 35 U.S.C. § 102 and respectfully request the Examiner to indicate the allowance of each and every pending claim in the present application.

SUMMARY AND CONCLUSION

In view of the foregoing, it is submitted that the present amendment is in proper form and that none of the references either taken together or taken alone in any proper combination thereof, anticipate or render obvious Applicant's invention. In addition, the applied references of record have been discussed and distinguished, while significant features of the present invention have been pointed out. Accordingly, consideration of the present

amendment, reconsideration of the outstanding Official Action and allowance of the present application and all of the claims therein are respectfully requested and are now believed to be appropriate.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding the present response, or this application, the Examiner is respectfully requested to contact the undersigned at the below listed telephone number.

Respectfully submitted,
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MARKED-UP COPY OF SPECIFICATION

Please amend the paragraph beginning page 5, line 16 as follows:

---As shown in Fig. 1, a lens molding die 1 embodying the invention comprises a base member 11 of a substantially disc-plate shape having a spherical surface, and a molded layer 12. Fig. 1 also shows a device P for producing the die 1, which comprises an upper cylindrical holder 6 capable of securely holding the [base member 11] transfer die 4 therein, a transfer die 4 of a substantially columnar shape having a transfer surface 4a at one end surface thereof, a lower cylindrical holder 3 arranged to be opposed to the upper cylindrical holder 6 and capable of securely holding the [transfer die 4] base member 11 therein, and a positioning member 7 disposed between the opposing surfaces of the upper and lower holders 6 and 3.---

Please amend the paragraph beginning page 8, line 16 as follows:

---Accordingly, as shown in Fig. 2, a base member 21 of the lens molding die 2 is provided with a convex surface while a transfer die 5 is provided with a concave surface 5a, and the lens molding die 2 is disposed, with the convex surface thereof facing down, above the transfer die 5 to form a molded layer 22 having a convex surface. The lens molding die 2 is produced in a similar manner as the lens molding die 1 by employing the producing device P explained above.---

P19101.A05

MARKED-UP COPY OF CLAIM 1

1. (Amended - Marked-Up Copy) A lens molding die which comprises:

a base member made of a hard material and having one surface of a predetermined shape; and

a resin-molded surface layer formed on said one surface of the base member and having a surface shape corresponding to a predetermined shape of one surface of a lens to be produced, said surface shape of said resin-molded surface layer being different from said predetermined shape of said base member.